

000335

COMMITTEE ACTION SHEET

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03/03

COUNCIL DOCKET OF _____

☐ Supplemental ☐ Adoption ☐ Consent ☐ Unanimous Consent Rules Committee Consultant Review

R:-

O:-

Advertise and Award of Famosa Accelerated Sewer and Water Replacement

☒ Reviewed ☐ Initiated By NR&C On 1/28/09 Item No. 1b

RECOMMENDATION TO:

Approve.

VOTED YEA: Frye, DeMaio, Lightner, Emerald

VOTED NAY:

NOT PRESENT:

CITY CLERK: Please reference the following reports on the City Council Docket:

REPORT TO THE CITY COUNCIL NO.

INDEPENDENT BUDGET ANALYST NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Engineering and Capital Projects Department's January 21, 2009, Executive Summary Sheet

COUNCIL COMMITTEE CONSULTANT



EXECUTIVE SUMMARY SHEET

000337

DATE REPORT ISSUED: January 21, 2009 REPORT NO.
 ATTENTION: Natural Resources and Culture Committee
 Agenda of January 28, 2009
 ORIGINATING DEPT: Engineering and Capital Projects, Right-Of-Way Design Division
 SUBJECT: Advertise and Award of Famosa Accelerated Sewer & Water Replacement
 COUNCIL DISTRICTS: (2) Kevin Faulconer
 STAFF CONTACT: M. Gibson/ R. Amen (619) 533-5213/ (619) 533-5492

REQUESTED ACTIONS:

Council authorization to advertise and award a construction contract for Famosa Accelerated Sewer & Water Main Replacement.

STAFF RECOMMENDATIONS:

Adopt the Resolutions.

EXECUTIVE SUMMARY:

Famosa Accelerated Sewer & Water Replacement is part of a program established by the City of San Diego and the California Department of Public Health mandating the replacement of all cast iron water mains currently in service. This project was accelerated due to the recently reported water main breaks and increased frequency of maintenance to the existing sewer mains. This project is located in Peninsula Community Plan Area. This project includes the construction and replacement of approximately 8,701 linear feet of existing 12-inch, 10-inch, 8-inch and 6-inch diameter sewer mains, and the replacement of approximately 11,209 linear feet of existing 12-inch, 8-inch and 6-inch diameter water mains and all other work and appurtenances. It also includes installing curb ramps and street resurfacing. The streets affected by the Famosa Accelerated Sewer & Water Replacement are West Point Loma Boulevard, Famosa Boulevard, Valeta Street, Montavlo Street, Mentone Street, Temecula Street, Rialto Street, Clovis Street, Camulos Street, and the surrounding alleys and streets as shown on the attached location map. Contractor will prepare traffic control shop drawings and implement them during construction after review and approval by the City.

EQUAL OPPORTUNITY CONTRACTING PROGRAM (EOCP):

Funding Agency: City of San Diego – Prevailing wages do not apply to this contract.

Goals: 19.3% Mandatory Subcontractor Participation Goal; 1.7% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1.4% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 1.7% Advisory Participation Goal Small Minority Business Enterprise, 0.4% Advisory Participation Goal Minority Women Business Enterprise, 14.1% Advisory Participation Goal Other Business Enterprise (OBE)

Other: Prior to award, a workforce report, and if necessary, an Equal Opportunity Plan shall be submitted. Staff will monitor the Plan and adherence to the Nondiscrimination Ordinance. EOC staff will evaluate the bidder's compliance with SCOPe. Failure to comply with SCOPe will lead to the bid being declared non-responsive. This contract will be advertised for bids in the San Diego Daily Transcript, the City of San Diego's website, and the E-Bid Board. In addition, once implemented, the Bidder Registration Program will notify registered participants of bid opportunities. Prior to implementation of the Bidder Registration Program, the City will notify trade associations and eligible firms via fax and/or e-mail.

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FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$6,835,752. Enterprise funding of \$2,833,015 will be available in CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, of which \$2,528,035.57 will be transferred from CIP 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for this purpose. Enterprise funding of \$4,002,737 will be available in CIP 73-083.0, Annual Allocation – Water Main Replacements, Fund 41500, Water, for this purpose. The project costs for the Sewer portion of \$2,833,015 and the Water portion of \$4,002,737 may be reimbursed approximately 80% by current or future debt financing. This project will be funded in FY09. No future funding is anticipated. The Auditor's Certificate will be provided prior to contract award.

PREVIOUS COUNCIL COMMITTEE ACTION:


The subject item will be presented to the Committee on Natural Resources and Culture prior to the Council docket date.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was presented to the Peninsula Community Planning Group on October 16, 2008 and presented to the Friends of Famosa Slough on November 19, 2008. In addition, residents and businesses will be notified at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again, ten (10) days before construction begins by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROTECTED IMPACTS (if applicable):

Residents in this area will encounter minor inconvenience during construction. After completion, residents will experience improved reliability of the sewer & water system.



mb Patti K. Boekamp, Director
Engineering & Capital Projects Department

David Jarrell
Deputy Chief of Public Works

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ENTITLEMENTS DIVISION
(619) 446-5460

Revised Final Mitigated Negative Declaration

Project Number: 50202
SCH No: N/A

SUBJECT: Famosa Accelerated: CITY COUNCIL APPROVAL to allow for the replacement of 6,280 6,275 linear feet of sewer pipeline, the construction of 2,677 2,426 linear feet of new sewer pipeline, the abandonment of 1,910 2,100 linear feet of sewer pipeline, the construction of 604 linear feet of new water pipeline and the replacement of 9,979 10,605 linear feet of water pipeline. The proposed project alignments are located within the public right-of-way of West Point Loma Boulevard, Famosa Boulevard, Rialto Street, Temecula Street, Alley between Mentone Street and Montalvo Street, Mentone Street, Montalvo Street, Valeta Street, Camalos Street, and Clovis Street within the Peninsula Community Plan area. Applicant: City of San Diego, Engineering and Capital Projects Department, Water and Sewer Design Division. Contact: Edward Castaneda

UPDATE: SUBSEQUENT TO DISTRIBUTION OF THE FINAL MND ON AUGUST 31, 2005, MITIGATION LANGUAGE FOR HISTORICAL RESOURCES (ARCHAEOLOGY) WAS UPDATED TO REFLECT CURRENT BEST PRACTICES AND REVISIONS TO STATE LAW REGARDING THE TREATMENT AND DISPOSITION OF NATIVE AMERICAN HUMAN REMAINS. THE PALEONTOLOGICAL MITIGATION LANGUAGE WAS ALSO UPDATED DURING THIS TIME. ALTHOUGH MINOR CHANGES TO THE ALIGNMENT HAVE CHANGED DURING THIS TIME, THE CHANGES DO NOT RESULT IN A NEW SIGNIFICANT IMPACT. MITIGATION IDENTIFIED IN SECTION V WILL BE REQUIRED FOR THE NEW PIPELINE SEGMENTS ADDED TO THIS REVISED FINAL MND. THE MITIGATION LANGUAGE REVISIONS ARE DENOTED BY STRIKEOUT AND UNDERLINE AND DO NOT EFFECT THE CONCLUSIONS OF THE ENVIRONMENTAL ANALYSIS CONTAINED WITHIN THIS REVISED DOCUMENT.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas: **HISTORICAL RESOURCES, PALEONTOLOGICAL RESOURCES, AND LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM, MSCP)**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V. of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

GENERAL

1. The following mitigation measures shall be noted on the submitted construction/grading plans and specification, and included under the heading, "Environmental Mitigation Requirements."
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include City of San Diego's Mitigation Monitoring and Coordination (MMC) staff, Resident Engineer, Project Biologist (if applicable), Project Archaeologist, Project Paleontologist, and other parties of interest.

HISTORICAL RESOURCES (ARCHAEOLOGY) NEW PROGRAM FOLLOWS

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was

completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).
 - c. MMC shall notify the PI that the AME has been approved.
4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
5. Approval of AME and Construction Schedule

After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The Archaeological monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from

MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

(1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."

c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

(1). Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.

(2). Note. for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

1. Procedures for documentation, curation and reporting

a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.

b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.

c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.

d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains shall be determined between the MLD and the PI. IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
 - c. To protect these sites, the landowner shall do one or more of the following:

- (1) Record the site with the NAHC;
- (2) Record an open space or conservation easement; or
- (3) Record a document with the County.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B,

unless other specific arrangements have been made.

- B. If night and/or weekend work becomes necessary during the course of construction
1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

2005 HISTORICAL RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Land Development Review (LDR) Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental-designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not

limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

~~B. PI Shall Attend Precon Meetings~~

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

a. The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.

b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

c. MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

- ~~5. Approval of AME and Construction Schedule~~
~~After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.~~

~~III. During Construction~~

- ~~A. Monitor Shall be Present During Grading/Excavation/Trenching~~
- ~~1. The monitor shall be present full time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**~~
 - ~~2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.~~
 - ~~3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.~~
- ~~B. Discovery Notification Process~~
- ~~1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.~~
 - ~~2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.~~
 - ~~3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.~~
- ~~C. Determination of Significance~~
- ~~1. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below:~~
 - ~~a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.~~
 - ~~b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.~~
 - ~~(1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."~~
 - ~~c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.~~

(1). ~~Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.~~

(2). ~~Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523 A/B) shall identify the discovery as Potentially Significant.~~

~~D. Discovery Process for Significant Resources—Pipeline Trenching Projects~~

~~The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:~~

~~1. Procedures for documentation, curation and reporting~~

- ~~a. One hundred percent of the artifacts within the trench alignment and width shall be documented in situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.~~
- ~~b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI A.~~
- ~~c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms DPR-523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.~~
- ~~d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.~~

~~IV. Discovery of Human Remains~~

~~If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:~~

~~A. Notification~~

- ~~1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).~~
- ~~2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.~~

~~B. Isolate discovery site~~

- ~~1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.~~
- ~~2. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.~~

- ~~3. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.~~

- ~~C. If Human Remains ARE determined to be Native American~~
- ~~1. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, ONLY the Medical Examiner can make this call.~~
 - ~~2. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.~~
 - ~~3. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.~~
 - ~~4. The PI shall coordinate with the MLD for additional consultation.~~
 - ~~5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:~~
 - ~~a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;~~
 - ~~b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.~~
- ~~D. If Human Remains are NOT Native American~~
- ~~1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.~~
 - ~~2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).~~
 - ~~3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.~~

~~V. Night Work~~

- ~~A. If night work is included in the contract~~
- ~~1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the pre-con meeting.~~
 - ~~2. The following procedures shall be followed:~~
 - ~~a. No Discoveries~~
~~In the event that no discoveries were encountered during night work, The PI shall record the information on the CSV-R and submit to MMC via the RE by fax by 9am the following morning, if possible.~~
 - ~~b. Discoveries~~
~~All discoveries shall be processed and documented using the existing procedures detailed in Sections III—During Construction, and IV—Discovery of Human Remains.~~
 - ~~c. Potentially Significant Discoveries~~
~~If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III—During Construction shall be followed.~~
 - ~~d. The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III B, unless other specific arrangements have been made.~~
- ~~B. If night work becomes necessary during the course of construction~~
- ~~1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.~~
 - ~~2. The RE, or BI, as appropriate, shall notify MMC immediately.~~

~~C. All other procedures described above shall apply, as appropriate.~~

VI. ~~Post Construction~~

A. ~~Submittal of Draft Monitoring Report~~

1. ~~The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring;~~
 - a. ~~For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.~~
 - b. ~~Recording Sites with State of California Department of Parks and Recreation~~

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
2. ~~MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.~~
3. ~~The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.~~
4. ~~MMC shall provide written verification to the PI of the approved report.~~
5. ~~MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.~~

B. ~~Handling of Artifacts~~

1. ~~The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued~~
2. ~~The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.~~

C. ~~Curation of artifacts: Accession Agreement and Acceptance Verification~~

1. ~~The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.~~
2. ~~The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.~~
3. ~~The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.~~
4. ~~The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.~~

D. ~~Final Monitoring Report(s)~~

1. ~~The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative); within 90 days after notification from MMC of the approved report.~~
2. ~~The RE shall, in no case, issue the Notice of Completion until receiving a~~

~~copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.~~

PALEONTOLOGICAL RESOURCES - NEW PROGRAM FOLLOWS

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring

program.3. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
- b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- c. MMC shall notify the PI that the PME has been approved.

4. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

5. Approval of PME and Construction Schedule

After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.

III. During Construction**A. Monitor Shall be Present During Grading/Excavation/Trenching**

- 1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity at depths of 10 feet or greater and as authorized by the construction manager. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
- 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- 3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual

fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only: If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to

excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance.

1. Procedures for documentation, curation and reporting

- a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
- b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
- c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via the RE via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.

a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.

b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

C. Curation of artifacts: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.

2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.

3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.

4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

2005 PALEONTOLOGICAL RESOURCESI. Prior to Permit Issuance or Bid Opening/Bid AwardA. Land Development Review (LDR) Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of ConstructionA. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
 - a. The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.
3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

- c. ~~MMC shall notify the PI that the PME has been approved.~~
- 4. ~~When Monitoring Will Occur~~
 - a. ~~Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.~~
 - b. ~~The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.~~
- 5. ~~Approval of PME and Construction Schedule~~

~~After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.~~

III. ~~During Construction~~

- ~~A. Monitor Shall be Present During Grading/Excavation/Trenching~~
 - 1. ~~The monitor shall be present full time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity at depths of 10 feet or greater and as authorized by the construction manager. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.~~
 - 2. ~~The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.~~
 - 3. ~~The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.~~
- ~~B. Discovery Notification Process~~
 - 1. ~~In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or PI, as appropriate.~~
 - 2. ~~The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.~~
 - 3. ~~The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.~~
- ~~C. Determination of Significance~~
 - 1. ~~The PI shall evaluate the significance of the resource.~~
 - a. ~~The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for~~

fossil discoveries shall be at the discretion of the PI.

- b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, CM and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

- (1) Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."

- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

- (1) Note: For Pipeline Trenching Projects Only: If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.

- (2) Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.

~~D. Discovery Process for Significant Resources - Pipeline Trenching Projects~~

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance.

~~1. Procedures for documentation, curation and reporting~~

- a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
- b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI A.
- c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

~~IV. Night Work~~

~~A. If night work is included in the contract~~

- 1. When night work is included in the contract package, the extent and timing shall

be presented and discussed at the precon meeting.

2. ~~The following procedures shall be followed.~~

a. ~~No Discoveries~~

~~In the event that no discoveries were encountered during night work, The PI shall record the information on the CSV-R and submit to MMC via the RE via fax by 9am the following morning, if possible.~~

b. ~~Discoveries~~

~~All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction.~~

c. ~~Potentially Significant Discoveries~~

~~If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.~~

d. ~~The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III B, unless other specific arrangements have been made.~~

B. ~~If night work becomes necessary during the course of construction~~

1. ~~The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.~~

2. ~~The RE, or BI, as appropriate, shall notify MMC immediately.~~

C. ~~All other procedures described above shall apply, as appropriate.~~

VI. ~~Post Construction~~

A. ~~Submittal of Draft Monitoring Report for Completion of Monitoring Program~~

1. ~~The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.~~

a. ~~For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.~~

b. ~~Recording Sites with the San Diego Natural History Museum — The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.~~

2. ~~MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.~~

3. ~~The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.~~

4. ~~MMC shall provide written verification to the PI of the approved report.~~

5. ~~MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.~~

B. ~~Handling of Fossil Remains~~

1. ~~The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.~~

- ~~C. Curation of artifacts: Deed of Gift and Acceptance Verification~~
- ~~1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.~~
 - ~~2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.~~
 - ~~3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.~~
 - ~~4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.~~
- ~~D. Final Monitoring Report(s)~~
- ~~1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.~~
 - ~~2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.~~

LAND USE (MULTI-HABITAT PLANNING AREA (MHPA) ADJACENCY GUIDELINES)

Since the Famosa Accelerated project alignment is located adjacent to the Multi-Habitat Planning Area (MHPA), the following MHPA Land Use Adjacency Guidelines will be made conditions of project approval.

1. Prior to initiation of any construction-related grading, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
2. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.
3. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; No equipment maintenance shall be conducted within or near the adjacent open space.
4. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
5. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of ground disturbing activities. All construction related debris shall be removed off-site to an approved disposal facility.

6. Prior to the Pre-con, the applicant shall submit a construction schedule to MMC stating when construction activities would occur adjacent to the MHPA. If construction would not occur adjacent to Famosa Slough during breeding seasons for least tern and snowy plover (April 1-September 15) the following mitigation measures would not be implemented:
7. Prior to Pre-con meeting **and** if construction activities would occur adjacent to the MHPA during the least tern and/or snowy plover breeding seasons, the applicant shall submit verification that a qualified project biologist has been retained to oversee the implementation of the least tern and snowy plover breeding season noise mitigation.
8. Prior to the permit issuance or Bid opening whichever is applicable, the ADD (Environmental designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the least tern and snowy plover are shown on the appropriate construction documents:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN APRIL 1 AND SEPTEMBER 15 and/or MARCH 1 AND SEPTEMBER 15 THE BREEDING SEASON OF THE LEAST TERN AND SNOWY PLOVER, RESPECTILY, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

- A. A QUALIFIED BIOLOGIST SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE FOR THE PRESENCE OF THE LEAST TERN. SURVEYS FOR THE LEAST TERN AND SNOWY PLOVER SHALL BE CONDUCTED PURSUANT TO RECOVERY PERMIT TERMS AND CONDITIONS ESTABLISHED BY THE USFWS. IF LEAST TERNS OR SNOWY PLOVER ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
 - I. **BETWEEN APRIL 1 AND SEPTEMBER 15 and/or MARCH 1 AND SEPTEMBER 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED LEAST TERN AND SNOWY PLOVER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND**
 - II. **BETWEEN APRIL 1 AND SEPTEMBER 15 and/or MARCH 1 AND SEPTEMBER 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED LEAST TERN AND SNOWY PLOVER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE**

WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE ADD OF LDR AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

- III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE LEAST TERN OR SNOWY PLOER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASONS (SEPTEMBER 15).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ADD of LDR, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. IF LEAST TERNS OR SNOWY PLOVER ARE NOT DETECTED DURING THE INITIAL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE ADD OF LDR AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN **APRIL 1 AND SEPTEMBER 15** and/or **MARCH 1 AND SEPTEMBER 15**, AS FOLLOWS:
- I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR LEAST TERN OR SNOWY PLOVER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.

- II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

City of San Diego

City Council District 2
 Planning Department
 Development Services Department
 Library; Government Documents (81)
 Peninsula Community Service Center (98)
 MSCP, Betsy Miller (5A)
 Engineering and Capital Projects, Edward Castaneda (86)
 Engineering and Capital Projects, Eden Nguyen (908A)
 Wetland Advisory Board (171)
 Point Loma/Hervey Branch Library (MS 17)

Other

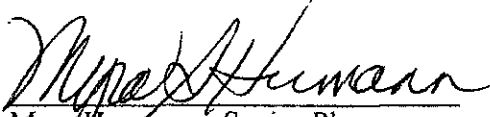
SDGE (114)
 MTDB (115)
 SD Transit (112)
 SD Unified School (125)
 SD City Schools (132)
 Peninsula Family YMCA (4390 Valeta Street)
 Peninsula Community Planning Board (390)
 South Coastal Information Center (210)
 Save Our Heritage Organisation (214)
 Ron Christman (215)
 Louie Guassac (215A)
 Dr. Jerry Schaefer, PhD (209)
 San Diego County Archaeological Society (218)
 San Diego Archaeological Center (212)
 San Diego Historical Society (211)
 San Diego Natural History Museum Paleontology Department (166)
 Kumeyaay Cultural Repatriation Committee (225)
 San Diego Natural History Museum (166)
 Native American Distribution (225A-R Public Notice)
 Barona Group of Capitan Grande Band of Mission Indians
 Campo Band of Mission Indians
 Cuyapaipe Band of Mission Indians
 Inaja and Cosmit Band of Mission Indians
 Jamul Band of Mission Indians
 La Posta Band of Mission Indians
 Manzanita Band of Mission Indians
 Sycuan Band of Mission Indians
 Viejas Group of Capitan Grande Band of Mission Indians
 Mesa Grande Band of Mission Indians
 San Pasqual Band of Mission Indians
 Santa Ysabel Band of Diegueño Indians
 La Jolla Band of Mission Indians
 Pala Band of Mission Indians
 Pauma Band of Mission Indians

Pechanga Band of Mission Indians
Rincon Band of Luiseno Mission Indians
Los Coyotes Band of Mission Indians

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration findings or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.


Myra Herrmann, Senior Planner
Development Services Department

August 10, 2005
Date of Draft Report

August 31, 2005
Date of Final Report

October 10, 2008
Revised Final Report

Analyst: K. Forburger/M. Herrmann

000370



San Diego County Archaeological Society, Inc.

Environmental Review Committee

22 August 2005

Response to Comment
(San Diego Archaeological Society, Inc. August 21, 2005)

To:

Ms. Kristen Forbarger
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 581
San Diego, California 92101

Subject:

DMND Mitigated Negative Declaration
Famous Accelerated
Project No. 50202

Dear Ms. Forbarger:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and initial study, we agree with the impact analysis and mitigation measures as proposed.

Thank you for including us in the environmental review for this project.

Sincerely,

James W. Royle, Jr.
James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

1. Comment Noted:

1.

000373

City of San Diego
Development Services Department
LAND DEVELOPMENT REVIEW DIVISION
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-5460

Revised INITIAL STUDY
PTS No. 50202
SCH No. N/A

SUBJECT: Famosa Accelerated: CITY COUNCIL APPROVAL to allow for the replacement of ~~6,280~~ 6,275 linear feet of sewer pipeline, the construction of ~~2,677~~ 2,426 linear feet of new sewer pipeline, the abandonment of ~~1,910~~ 2,100 linear feet of sewer pipeline, the construction of 604 linear feet of new water pipeline, and the replacement of ~~9,979~~ 10,605 linear feet of water pipeline. The proposed project alignments are located within the public right-of-way of West Point Loma Boulevard, Famosa Boulevard, Rialto Street, Temecula Street, Alley between Mentone Street and Montalvo Street, Mentone Street, Montalvo Street, Valeta Street, Camalos Street, and Clovis Street within the Peninsula Community Plan area. Applicant: City of San Diego, Engineering and Capital Projects Department, Water and Sewer Design Division. Contact: Edward Castaneda

I. PURPOSE AND MAIN FEATURES:

City Council Approval would allow for the replacement abandonment, and new installation of sewer mains and new sewer manholes as well as the replacement of water pipeline located within City of San Diego public rights-of-way. The proposed project would consist of the replacement of ~~6,280~~ 6,275 linear feet of sewer pipeline, the construction of ~~2,677~~ 2,426 linear feet of new sewer pipeline, the abandonment of ~~1,910~~ 2,100 linear feet of sewer pipeline, the construction of 604 linear feet of new water pipeline, and the replacement of ~~9,979~~ 10,605 linear feet of water pipeline. Trench depths would range from ~~5-165~~ 14-feet deep. The proposal would include a phased construction schedule for the purpose of avoiding construction activities adjacent to protected habitat during the breeding seasons for the least tern (April 1-September 15) and snowy plover (March 1-September 15). Best Management Practices (BMPs) would be used during construction in accordance with the required Storm Water Pollution Prevention Program (SWPPP). No significant impacts to sensitive biological resources would result with project implementation. Related work would include pedestrian ramps, replacement of sewer laterals, installation of manholes, and replacement of street surfacing.

All equipment would be staged in existing right-of-ways adjacent to the proposed work area. The contractor would comply with the requirements described in the *Standard Specifications for Public Works Construction*, and California Department of Transportation *Manual of Traffic Controls for Construction and Maintenance Work Zones*. If the Average Daily Traffic (ADT) within the proposed project's vicinity is 10,000 ADT or greater, a traffic control plan would be prepared and implemented in accordance with the *City of San Diego Standard Drawings Manual of Traffic Control for Construction and Maintenance Work Zones*. If the proposal is subject to 10,000 ADT or less, traffic control may be managed through shop drawings during construction.

II. ENVIRONMENTAL SETTING:

The proposed project alignments are located within the public right-of-way of West Point Loma Boulevard, Famosa Boulevard, Rialto Street, Temecula Street, Alley between Mentone Street and Montalvo Street, Mentone Street, Montalvo Street, Valeta Street, Camalos Street, and Clovis Street within the Peninsula Community Plan area (Figure 1). Surrounding land uses within the proposed project vicinity consist of single- and multi-family residential developments, as well as, commercial uses. The proposed project site is not located within, but is located adjacent to the City of San Diego's Multi-Habitat Planning Area (MHPA).

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

The following environmental issues were analyzed and determined to be significant: **HISTORICAL RESOURCES (ARCHAEOLOGY), PALEONTOLOGICAL RESOURCES, AND LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM, MSCP).**

HISTORICAL RESOURCES (ARCHAEOLOGY)

San Diego County is known for intense and diverse prehistoric occupation and important archaeological resources. These areas have been inhabited by various cultural groups spanning 10,000 years or more. Camp sites and villages have been recorded from Del Mar to Tijuana. Additionally, previously recorded archaeological sites consisting of both prehistoric and/or historic resources have been identified within a one-mile radius of the proposed project alignments. Based on this information, there is a potential that buried archaeological resources could be impacted during excavation for new and/or deeper trenches. Therefore, trenching activities could result in significant impacts to archaeological resources.

To reduce this impact to below a level of significance, a preconstruction record search would be required and utilized to determine areas of high to moderate resource potential. The predetermined areas would be monitored by a qualified archaeologist or archaeological monitor. Any cultural resources encountered during monitoring would be analyzed for significance and curated at an appropriate institution. If encountered resources are determined to be significant, a Research Design and Data Recovery Program would be prepared and implemented. These requirements are outlined in Section V., Mitigation Monitoring and Reporting Program, of the Mitigated Negative Declaration.

PALEONTOLOGICAL RESOURCES

The geologic formation which underlies the project area consists of the Bay Point Formation. With respect to paleontological fossil resource potential, the Bay Point Formation is assigned a high sensitivity in all areas where it occurs. Based on the sensitivity of the affected formations and the proposed excavation depths, the project could result in significant impacts to paleontological resources. To reduce this impact to below a level of significance, excavation within previously undisturbed formations at a depth of 10 or more feet would be monitored by a qualified paleontologist or paleontological monitor. Any significant paleontological resources encountered would

be recovered and curated. These requirements are outlined in Section V., Mitigation Monitoring and Reporting Program, of the Mitigated Negative Declaration.

LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM, MSCP)

Various alignments along which construction activities are proposed are located adjacent to the City of San Diego's MHPA; therefore, the proposal would be required to comply with the MHPA Land Use Adjacency Guidelines contained in the City's MSCP Subarea Plan. All lighting adjacent to the MHPA, as well as adjacent to proposed open space west of the project site, would be shaded and directed away from these areas. Runoff from the proposed development would not drain directly into the MHPA. Due to the potential presence of the coastal least tern and snowy plover within the adjacent MHPA preserve area, construction would either be avoided during the breeding seasons for the least tern (April 1 through September 15) and snowy plover (March 1 through September 15) or the applicant would be required to comply with the mitigation monitoring program as outlined in Section V. of the Mitigated Negative Declaration, which would reduce potentially significant impacts to below a level of significance. The mitigation monitoring program includes the provision for surveys to determine the presence or absence of least terns and snowy plovers within portions of the MHPA which would be subjected to construction noise levels above 60 dB Leq (one-hour) and if present either attenuating noise to 60 dB Leq (one-hour) or less or avoiding construction activities during the breeding season. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V. of the Mitigated Negative Declaration would reduce potentially significant indirect land use impacts to below a level of significance.

The following environmental issues were analyzed and determined to be less than significant: **WATER QUALITY AND HEALTH AND SAFETY/HAZARDOUS MATERIALS.**

WATER QUALITY

Best Management Practices (BMPs) are required during construction activities which would include (but is not limited to) features such as storm drain inlet protection, catch basin inlet protection, stabilized construction entrance/exit areas, and silt fencing. Storm drain inlet protection consisting of gravel bags and filter fabric such as polyethylene or polypropylene would be placed around curb inlets. Catch basin inlet protection would be specified in paved areas by using filter fabric over catch basin grates. Specifications for stabilized construction entrance/exit areas would be provided to minimize transport of sediment off-site. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. The construction contractor would be required to prepare and use a Sewer Spill Prevention and Response Plan. The implementation of BMP's as stated in the contract documents in accordance with the City's Stormwater Regulations would preclude direct and cumulatively considerable water quality impacts.

HEALTH AND SAFETY/HAZARDOUS MATERIALS

The County of San Diego Department of Environmental Health (DEH) Hazardous Materials Establishment Listing database identifies potentially hazardous material release sites throughout the City of San Diego. Based on a search of the County's Site Assessment and Mitigation (SAM) Listing and the State Geotracker database, there are two sites within 1,000 feet of project alignment. Of these two sites, one is listed as "open" and identifies groundwater as being affected. As such, trenching activities in this area could possibly encounter some petroleum-contaminated soils. Therefore, the proposed project would include language within specifications and Contract Documents which address the handling of hazardous materials. Compliance with the County (DEH) Hazardous Materials permitting requirements and an approved health and safety plan

would reduce potentially significant impacts projects to below a level of significance; therefore, no mitigation is required.

V. RECOMMENDATION:

On the basis of this initial evaluation:

— The proposed project would not have a significant effect on the environment, and a **NEGATIVE DECLARATION** should be prepared.

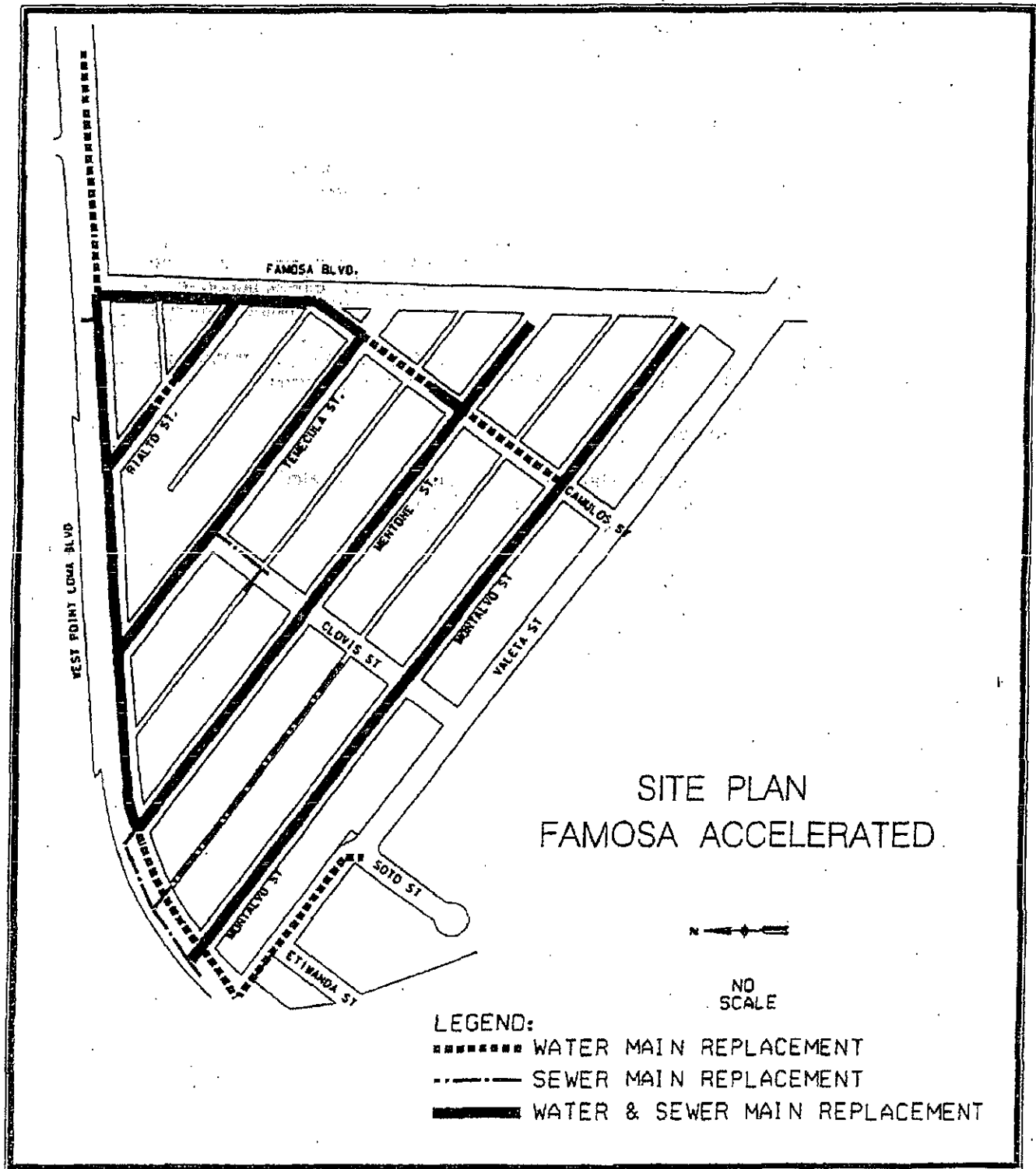
X Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A **MITIGATED NEGATIVE DECLARATION** should be prepared.

— The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** should be required.

PROJECT ANALYST: K. Forburger

Attachments: 1. Figure 1: Location Map/Site Plan-Famosa Accelerated
 1. Revised Figure 1a Revised Location Map
 2. Initial Study Checklist

000377



Famosa Accelerated



Location Map/Site Plan

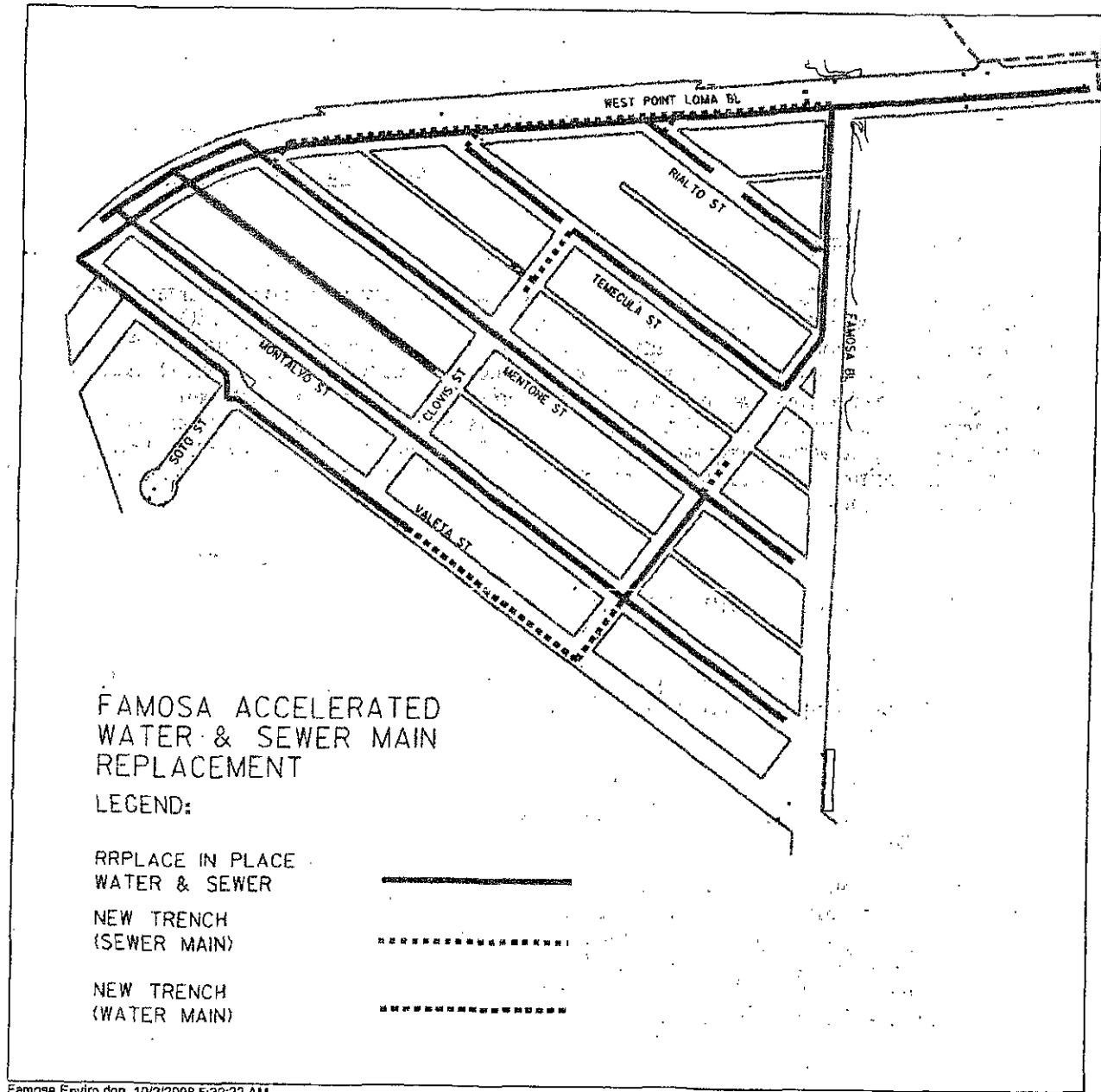
Environmental Analysis Section Project No. 50202
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

1

Previous

000378



Revised Project Alignment

Famosa Accelerated / Project No. 50202

City of San Diego – Development Services Department

FIGURE

No. 1a

Initial Study Checklist

1

Date: September 27, 2004

Project No.: 50202

Name of Project: Famosa Accelerated

III ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- | | | | |
|---|---|---|----------|
| A. The obstruction of any vista or scenic view from a public viewing area?
<u>No obstructions of any vistas or scenic views would result.</u> | — | — | <u>X</u> |
| B. The creation of a negative aesthetic site or project?
<u>The proposed project would not create a negative aesthetic.</u> | — | — | <u>X</u> |
| C. Project bulk, scale, materials, or style which would be incompatible with surrounding development?
<u>The proposed replacement rehabilitation, open trenching, and/or abandonment of water and sewer alignments within the project area would be compatible with the surrounding development.</u> | — | — | <u>X</u> |
| D. Substantial alteration to the existing character of the area?
<u>No such alteration would result.</u> | — | — | <u>X</u> |
| E. The loss of any distinctive or landmark tree(s), or a stand of mature trees?
<u>No such loss would result.</u> | — | — | <u>X</u> |
| F. Substantial change in topography or ground surface relief features?
<u>No such change would result.</u> | — | — | <u>X</u> |

Yes Maybe No

- G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent?

No such loss would result as all proposed work is confined to City of San Diego public-rights-of-way.

X

- H. Substantial light or glare?

No such impact would result.

X

- I. Substantial shading of other properties?

No shading would result from project implementation.

X

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

- A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?

No such loss would result.

X

- B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

No agricultural land exists within the project alignment.

X

III. AIR QUALITY – Would the proposal:

- A. Conflict with or obstruct implementation of the applicable air quality plan?

No such impact would result.

X

- B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

No such violation would result.

X

- C. Expose sensitive receptors to substantial pollutant concentrations?

No such exposure would result.

X

- D. Create objectionable odors affecting a substantial number of people?

No such creation would result.

X

E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? X
Dust would be generated temporarily during construction only and would be controlled with standard construction practices as specified in the Contract Documents.

F. Alter air movement in the area of the project? X
No such alteration would result.

G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? X
No such change would result.

IV. BIOLOGY – Would the proposal result in:

A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? X
No such reduction would result as all proposed work would be conducted in public right of way.

B. A substantial change in the diversity of any species of animals or plants? X
No such change would result. See IV. A.

C. Introduction of invasive species of plants into the area? X
No invasive plant species would be proposed.

E. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? X
No such interference would result. See IV. A.

E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? X
No such impact would result. See IV. A.

F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? X
No such impact would result. no wetland habitat occurs on the proposed project site. However, the proposed alignment is adjacent to Famosa Slough Wetland Preserve. Although no direct impacts would result, implementation of the appropriate MHPA Land Use Adjacency Guidelines would be required. See IV. A.

- G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan?

MHPA Land Use Adjacency Guidelines have been incorporated into the MMRP.

X

V. ENERGY – Would the proposal:

- A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)?

No such use would result with project implementation.

X

- B. Result in the use of excessive amounts of power?

See V. A.

X

VI. GEOLOGY/SOILS – Would the proposal:

- A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

The site is underlain by Hazard Categories 31 and 52. Proper engineering design would preclude geologic impacts.

X

- B. Result in a substantial increase in wind or water erosion of soils, either on or off the site?

No such increase would result.

X

- C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

See VI. A.

X

VII. HISTORICAL RESOURCES – Would the proposal result in:

- A. Alteration of or the destruction of a prehistoric or historic archaeological site?

See Initial Study Discussion.

X

- B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site?

See Initial Study Discussion.

X

- C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object?

No structures exist within the proposed project alignments.

X

Yes Maybe No

- D. Any impact to existing religious or sacred uses within the potential impact area?

No existing religious or sacred uses occur on-site.

— — **X**

- E. The disturbance of any human remains, including those interred outside of formal cemeteries?

See VII. A.

— **X** —

VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:

- A. Create any known health hazard (excluding mental health)?

The County of San Diego Department of Environmental Health (DEH) Hazardous Materials Establishment Listing database identifies potentially hazardous material release sites throughout the City of San Diego. As a result, a DEH website search was conducted for the project resulting an "open" site within 1,000 feet of the proposed alignments.

As such, trenching activities in this area could possibly encounter some petroleum-contaminated soils. Therefore, the proposed project would include language within specifications and Contract Documents which address the handling of hazardous materials. See Initial Study Discussion.

— **X** —

- B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials?

See VIII. A.

— **X** —

- C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)?

See VIII. A.

— **X** —

- D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed project would not impair or interfere with an adopted emergency plan.

— — **X**

- E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?

No sites have been identified. See VIII.A and Initial Study Discussion

— **X** —

- F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

— — X —

No such hazards would result. See III.A and Initial Study Discussion.

IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:

- A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. Compliance with the City of San Diego Storm Water Standards is required and Best Management Practices would be incorporated into the project specifications.

— — X —

- B. An increase in impervious surfaces and associated increased runoff?
See IX A.

— — X —

- C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?
The project would not substantially alter drainage patterns.

— — X —

- D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(d) list)?
No such discharge would result.

— — X —

- E. A potentially significant adverse impact on ground water quality?
No such impact would result.

— — X —

- F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?
No such exceedance would result.

— — X —

X. LAND USE – Would the proposal result in:

- A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project?
The projects would be consistent with the applicable Peninsula Community Plan.

— — X —

Yes Maybe No

- 7

Yes Maybe No

- B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The project would not displace or necessitate the construction of housing.

- C. Alter the planned location, distribution, density or growth rate of the population of an area?

The project would not alter the population of the community.

XIV. PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- A. Fire protection?

No additional fire protection services would be required.

- B. Police protection?

No additional police protection would be required.

- C. Schools?

No change to existing schools would occur.

- D. Parks or other recreational facilities?

Existing access to recreational areas would not be affected.

- E. Maintenance of public facilities, including roads?

Existing public facilities would not be affected.

- F. Other governmental services?

Existing services would remain unaffected.

XV. RECREATIONAL RESOURCES – Would the proposal result in:

- A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The project does not include recreational facilities or require the construction or expansion of recreational facilities.

- C. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

See XV. A.

Yes Maybe No

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

- | | | | |
|--|---|---|---|
| A. Traffic generation in excess of specific/
community plan allocation?
<u>No such generation would result.</u> | — | — | X |
| B. An increase in projected traffic which is substantial in
relation to the existing traffic load and capacity of the
street system?
<u>No such increase would result.</u> | — | — | X |
| C. An increased demand for off-site parking?
<u>No parking is proposed with the Famosa Accelerated
Project.</u> | — | — | X |
| D. Effects on existing parking?
<u>No such effects would result.</u> | — | — | X |
| E. Substantial impact upon existing or planned
transportation systems?
<u>Project would not impact existing or planned
transportation systems. A traffic control plan would
be implemented upon construction.</u> | — | — | X |
| F. Alterations to present circulation movements
including effects on existing public access to
beaches, parks, or other open space areas?
<u>No such alteration would result.</u> | — | — | X |
| G. Increase in traffic hazards for motor vehicles,
bicyclists or pedestrians due to a proposed, non-
standard design feature (e.g., poor sight distance or
driveway onto an access-restricted roadway)?
<u>Project would not increase traffic hazards for motor
vehicles, bicyclists or pedestrians.</u> | — | — | X |
| H. A conflict with adopted policies, plans or programs
supporting alternative transportation models (e.g.,
bus turnouts, bicycle racks)?
<u>See XVI.E above.</u> | — | — | X |

XVII. UTILITIES – Would the proposal result in a need for new
systems, or require substantial alterations to existing
utilities, including:

- | | | | |
|--|---|---|---|
| A. Natural gas?
<u>Existing utilities would not be affected.</u> | — | — | X |
| B. Communications systems?
<u>Existing utilities would not be affected.</u> | — | — | X |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Water? <u>The proposed project consists of the replacement water alignments within the City of San Diego.</u>	-	-	<u>X</u>
D. Sewer? <u>The proposed project consists of the replacement rehabilitation, open trenching, and abandonment of sewer alignments within the City of San Diego.</u>	-	-	<u>X</u>
E. Storm water drainage? <u>No change in drainage patterns is anticipated.</u>	-	-	<u>X</u>
F. Solid waste disposal? <u>Existing service would remain unaffected.</u>	-	-	<u>X</u>
XVIII. WATER CONSERVATION - Would the proposal result in:			
A. Use of excessive amounts of water? <u>The project would not require the use of excessive amounts of water.</u>	-	-	<u>X</u>
B. Landscaping which is predominantly non-drought resistant vegetation? <u>No landscaping is proposed.</u>	-	-	<u>X</u>
XIX. MANDATORY FINDINGS OF SIGNIFICANCE:			
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? <u>See Initial Study Discussion.</u>	-	<u>X</u>	-
B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.) <u>The proposed project would not result in an impact to long-term environmental goals.</u>	-	-	<u>X</u>

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Yes Maybe No

- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
The proposed project would not result in cumulative impacts.

X

- D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?
The project would not result in environmental effects which would cause substantial effects on human beings.

X

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

☒ City of San Diego Progress Guide and General Plan.☒ Community Plan.☐ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

☒ City of San Diego Progress Guide and General Plan.☒ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

III. Air

☒ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.☐ Regional Air Quality Strategies (RAQS) - APCD.☐ Site Specific Report: _____

IV. Biology

☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.☒ Community Plan - Resource Element.☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.

- California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- City of San Diego Land Development Code Biology Guidelines.
- V. **Energy**
-
- VI. **Geology/Soils**
- X City of San Diego Seismic Safety Study.
- U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- VII. **Historical Resources**
- X City of San Diego Historical Resources Guidelines.
- X City of San Diego Archaeology Library.
- Historical Resources Board List.
- Community Historical Survey:
- VIII. **Human Health / Public Safety / Hazardous Materials**
- X San Diego County Hazardous Materials Environmental Assessment Listing, County Website.
- San Diego County Hazardous Materials Management Division
- FAA Determination
- X State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- Airport Comprehensive Land Use Plan.
- Site Specific Report: _____
- IX. **Hydrology/Water Quality**
- Flood Insurance Rate Map (FIRM).
- X Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.

- ☒ Clean Water Act Section 303(d) list, dated May 19, 1999,
http://www.swrcb.ca.gov/tmdl/303d_lists.html.
- ☒ Land Use
- ☒ City of San Diego Progress Guide and General Plan.
- ☒ Community Plans.
- ☐ Airport Comprehensive Land Use Plan
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination
- ☒ Noise
- ☒ Community Plans
- ☒ Land Development Code
- ☐ San Diego International Airport - Lindbergh Field CNEL Maps.
- ☐ Brown Field Airport Master Plan CNEL Maps.
- ☐ Montgomery Field CNEL Maps.
- ☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ☐ City of San Diego Progress Guide and General Plan.
- XII. Paleontological Resources**
 - ☐ City of San Diego Paleontological Guidelines.
 - ☒ Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.
 - ☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.
 - ☒ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
 - ☐ Site Specific Report: _____

XIII. Population / Housing

- ☐ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☐ Series 8 Population Forecasts, SANDAG.
- ☐ Other: _____

XIV. Public Services

- ☒ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.

XV. Recreational Resources

- ☐ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources: _____

XVI. Transportation / Circulation

- ☐ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☒ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ☐ San Diego Region Weekday Traffic Volumes, SANDAG.

XVII. Utilities**XVIII. Water Conservation**

**ATTACHMENT A
MITIGATION, MONITORING, AND REPORTING PROGRAM
FAMOSE ACCELERATED
PROJECT NO. 50202**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with AB 3180 (1989) during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. The City of San Diego, Engineering and Capital Projects Department and the Development Services Department are jointly responsible for ensuring that this program is carried out.

GENERAL

1. The Assistant Deputy Director (ADD) of the City's Entitlements Division shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental Requirements: Famosa Accelerated is subject to a Mitigation, Monitoring and Reporting Program (MMRP) and shall conform to the mitigation conditions as contained in the AMND (Project No. 50202).
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include City of San Diego's Mitigation Monitoring and Coordination (MMC) staff, Resident Engineer, Project Biologist (if applicable), Project Archaeologist, Native American Monitor, Project Paleontologist, and other parties of interest.

HISTORICAL RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or *suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.*
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).
 - c. MMC shall notify the PI that the AME has been approved.
4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

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- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
5. Approval of AME and Construction Schedule
After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. The Native American monitor shall *determine the extent of their presence during construction related* activities based on the AME and provide that information to the PI and MMC. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the deposit is *limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.*
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources - Pipeline Trenching Projects
The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:
 1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal

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Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.

- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC

5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

- c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

V. **Night and/or Weekend Work**

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVN and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Submittal of Draft Monitoring Report

- 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. *For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.*
 - b. *Recording Sites with State of California Department of Parks and Recreation*
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- ### B. Handling of Artifacts
- 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

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- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - 2. *The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.*
 - 3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 - 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
 - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a

copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. *Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)*

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.

3. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.

- b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

- c. MMC shall notify the PI that the PME has been approved.

4. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

5. Approval of PME and Construction Schedule

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After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity at depths of 10 feet or greater and as authorized by the construction manager. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be

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approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

- (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources - Pipeline Trenching Projects
- The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance.
1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.
 - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

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IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via the RE via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with

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the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- C. Curation of artifacts: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

LAND USE (MULTI-HABITAT PLANNING AREA (MHPA) ADJACENCY GUIDELINES)

Since the Famosa Accelerated project alignment is located adjacent to the Multi-Habitat Planning Area (MHPA), the following MHPA Land Use Adjacency Guidelines will be made conditions of project approval.

1. Prior to initiation of any construction-related grading, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
2. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.

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3. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; No equipment maintenance shall be conducted within or near the adjacent open space.
4. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
5. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of ground disturbing activities. All construction related debris shall be removed off-site to an approved disposal facility.
6. Prior to the Pre-con, the applicant shall submit a construction schedule to MMC stating when construction activities would occur adjacent to the MHPA. If construction would not occur adjacent to Famosa Slough during breeding seasons for least tern and snowy plover (April 1-September 15) the following mitigation measures would not be implemented:
7. Prior to Pre-con meeting **and** if construction activities would occur adjacent to the MHPA during the least tern and/or snowy plover breeding seasons, the applicant shall submit verification that a qualified project biologist has been retained to oversee the implementation of the least tern and snowy plover breeding season noise mitigation.
8. Prior to the permit issuance or Bid opening whichever is applicable, the ADD (Environmental designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the least tern and snowy plover are shown on the appropriate construction documents:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN APRIL 1 AND SEPTEMBER 15 and/or MARCH 1 AND SEPTEMBER 15 THE BREEDING SEASON OF THE LEAST TERN AND SNOWY PLOVER, RESPECTILY, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

- A. A QUALIFIED BIOLOGIST SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE FOR THE PRESENCE OF THE LEAST TERN. SURVEYS FOR THE LEAST TERN AND SNOWY PLOVER SHALL BE CONDUCTED PURSUANT TO RECOVERY PERMIT TERMS AND CONDITIONS ESTABLISHED BY THE USFWS. IF LEAST TERNS OR SNOWY PLOVER ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

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- I. BETWEEN **APRIL 1 AND SEPTEMBER 15** and/or **MARCH 1 AND SEPTEMBER 15**, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED LEAST TERN AND SNOWY PLOVER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
- II. BETWEEN **APRIL 1 AND SEPTEMBER 15** and/or **MARCH 1 AND SEPTEMBER 15**, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED LEAST TERN AND SNOWY PLOVER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE ADD OF LDR AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
- III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE LEAST TERN OR SNOWY PLOER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR

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UNTIL THE END OF THE BREEDING SEASONS
(SEPTEMBER 15).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ADD of LDR, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. IF LEAST TERNS OR SNOWY PLOVER ARE NOT DETECTED DURING THE INITIAL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE ADD OF LDR AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN **APRIL 1 AND SEPTEMBER 15 and/or MARCH 1 AND SEPTEMBER 15, AS FOLLOWS:**
- I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR LEAST TERN OR SNOWY PLOVER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
- II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

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DOCKET SUPPORTING INFORMATION

CITY OF SAN DIEGO

EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

DATE:

February 12, 2009

SUBJECT: Advertise and Award of Famosa Accelerated Sewer & Water Replacement

GENERAL CONTRACT INFORMATION

Recommended Contractor: Unknown at this time.

Amount of this Action: \$6,835,752.00

Funding Source: City of San Diego

SUBCONTRACTOR PARTICIPATION

The subcontractor action associated with this action is unknown at this time.

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

Equal Opportunity: Required

A Workforce Report is un-applicable to this action at this time as no contractor is identified.

This agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517)

ADDITIONAL COMMENTS

This action is to authorize the Mayor or his designee to execute a construction contract with the lowest responsible and reliable bidder for the construction and project related costs of Famosa Accelerated Sewer & Water Replacement for a total estimated project cost of \$6,835,752.


RLL

000413

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)

2900572

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):

ENGINEERING & CAPITAL PROJECTS

3. DATE:

December 12, 2008

4. SUBJECT:

Advertise and Award of Famosa Accelerated Sewer & Water Replacement

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

Marnell Gibson (619) 533-5213 MS908A

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

Rania Ameh (619) 533-5492 MS908A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED



8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	41506	41500	41506
DEPT.	773	760	773
ORGANIZATION	960	391040	960
OBJECT ACCOUNT	4279	4279	4279
JOB ORDER	179970	188670	440010
C.I.P. NUMBER	46-206.0/46-613.1	73-083.0/73-867.4	44-001.0
AMOUNT	\$2,833,015	\$4,002,737	\$2,520,035.57

9. ADDITIONAL INFORMATION / ESTIMATED COST:

	Fund 41506	Fund 41500
Engineering	\$539,980	\$490,911
Construction:	\$2,193,337	\$2,925,565
City Forces:		\$453,280
Contingencies:	\$99,698	\$132,981
Total Project	\$2,833,015	\$4,002,737
Less Prev. Auth:	0	0
This Request:	\$2,833,015	\$4,002,737

\$ 304,979.43

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTOR		1/13/09	9	DEPUTY CHIEF		2/9/09
2	WATER	APPROVAL		10	C.O.O.		2/9/09
3	MWWWD	SIGNATURES		11	CITY ATTORNEY		2/11/09
4	E.A.S.	ON FILE		12	ORIG. DEPT		2/11/09
5	EOCP				DOCKET COORD:		2/18/09
6	DOCKET LIAISON		1/16/09		COUNCIL PRESIDENT		3.3.09
7	FM-CIP/DM		2/4/09				
8	COMPTROLLER		2/6/09				

11. PREPARATION OF:

☒ RESOLUTIONS☐ ORDINANCE(S)☐ AGREEMENT(S)☐ DEED(S)

1. Approving the Plans and Specifications for construction of Famosa Accelerated Sewer & Water Replacement as advertised by Purchasing & Contracting Department; and

(Please see other side)

11A. STAFF RECOMMENDATIONS:

Adopt the resolutions.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): (2) Kevin Faulconer

COMMUNITY AREA(S): Peninsula

ENVIRONMENTAL IMPACT: The City of San Diego as Lead Agency under CEQA has reviewed and considered a MND Project No. 50202, dated October 10, 2008, and Mitigation Monitoring and Reporting Program covering this activity.

HOUSING IMPACT: None

ATTACHMENTS: Plans and Specifications, Project Cost Estimate, Location Map, Mitigated Negative Declaration

CITY CLERK INSTRUCTIONS: Upon Council approval, please forward two (2) copies of the 1472 and Resolutions(s) to Joanne Ferrer, Account Clerk at Project Implementation & Technical Services Division, M.S. 908A; one (1) copy to Bob Barreras at M.S. 901A and one (1) copy to Yeshi Bezuneh at M.S. 6A.

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SECTION 11 – PREPARATION OF: RESOLUTIONS, ORDINANCES, ETC. (CONTINUED):

2. Authorizing the transfer of \$2,528,035.57 from CIP 44-001.0, Annual Allocation – Sewer Main Replacements to CIP 46-206.0, Annual Allocation – Accelerated Projects, within Fund 41506, Sewer; and
3. Authorizing the expenditure of \$2,833,015 from CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, for the construction and project related costs of Famosa Accelerated Sewer & Water Replacement, contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and
4. Authorizing the expenditure of \$4,002,737 from CIP 73-083.0, Annual Allocation – Water Main Replacements, Fund 41500, Water, for the construction and project related costs of Famosa Accelerated Sewer & Water Replacement, contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and
5. Authorizing the Mayor, or his designee, to execute a construction contract with the lowest responsible and reliable bidder contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and
6. Authorizing the use of City Force Work in CIP 73-083.0, Annual Allocation – Water Main Replacements, Fund 41500, Water, for the construction of Famosa Accelerated Sewer & Water Replacement in an amount not to exceed \$453,280; and
7. Authorizing the City Comptroller, upon the advice from the administering department, to return excess budgeted funds, if any, to the appropriate reserves; and
8. Certifying that the information contained in Project No. 50202 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said MND the independent judgment of the City of San Diego as Lead Agency.
9. Stating for the record that the final MND has been reviewed and considered prior to approving the project.
10. Adopting the final MND.
11. Adopting the Mitigation Monitoring and Reporting Program covering this activity

EXECUTIVE SUMMARY SHEET

000415

DATE REPORT ISSUED: December 12, 2008 REPORT NO.
 ATTENTION: Council President and City Council
 ORIGINATING DEPT: Engineering and Capital Projects, Right-Of-Way Design Division
 SUBJECT: Advertise and Award of Famosa Accelerated Sewer & Water Replacement
 COUNCIL DISTRICTS: (2) Kevin Faulconer
 STAFF CONTACT: M. Gibson/ R. Amen (619) 533-5213/ (619) 533-5492

REQUESTED ACTIONS:

Council authorization to advertise and award a construction contract for Famosa Accelerated Sewer & Water Main Replacement.

STAFF RECOMMENDATIONS:

Adopt the Resolutions.

EXECUTIVE SUMMARY:

Famosa Accelerated Sewer & Water Replacement is part of a program established by the City of San Diego and the California Department of Public Health mandating the replacement of all cast iron water mains currently in service. This project was accelerated due to the recently reported water main breaks and increased frequency of maintenance to the existing sewer mains. This project is located in Peninsula Community Plan Area. This project includes the construction and replacement of approximately 7,838 linear feet of existing 12-inch, 10-inch, 8-inch and 6-inch diameter sewer mains, and the replacement of approximately 11,209 linear feet of existing 12-inch, 8-inch and 6-inch diameter water mains and all other work and appurtenances. It also includes installing curb ramps and street resurfacing. The streets affected by the Famosa Accelerated Sewer & Water Replacement are West Point Loma Boulevard, Famosa Boulevard, Valeta Street, Montavlo Street, Mentone Street, Temecula Street, Rialto Street, Clovis Street, Camulos Street, and the surrounding alleys and streets as shown on the attached location map. Contractor will prepare traffic control shop drawings and implement them during construction after review and approval by the City.

EQUAL OPPORTUNITY CONTRACTING PROGRAM (EOCP):

Funding Agency: City of San Diego – Prevailing wages do not apply to this contract.

Goals: 23.4% Mandatory Subcontractor Participation Goal; 2.1% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1.6% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 2.1% Advisory Participation Goal Small Minority Business Enterprise, 0.5% Advisory Participation Goal Minority Women Business Enterprise, 17.1% Advisory Participation Goal Other Business Enterprise (OBE)

Other: Prior to award, a workforce report, and if necessary, an Equal Opportunity Plan shall be submitted. Staff will monitor the Plan and adherence to the Nondiscrimination Ordinance. EOC staff will evaluate the bidder's compliance with SCOPE. Failure to comply with SCOPE will lead to the bid being declared non-responsive. This contract will be advertised for bids in the San Diego Daily Transcript, the City of San Diego's website, and the E-Bid Board. In addition, once implemented, the Bidder Registration Program will notify registered participants of bid opportunities. Prior to implementation of the Bidder Registration Program, the City will notify trade associations and eligible firms via fax and/or e-mail.

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FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$6,835,752. Enterprise funding of \$2,833,015 will be available in CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, of which \$2,528,035.57 will be transferred from CIP 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for this purpose. Enterprise funding of \$4,002,737 will be available in CIP 73-083.0, Annual Allocation – Water Main Replacements, Fund 41500, Water, for this purpose. The project costs for the Sewer portion of \$2,833,015 and the Water portion of \$4,002,737 may be reimbursed approximately 80% by current or future debt financing. This project will be funded in FY09. No future funding is anticipated. The Auditor's Certificate will be provided prior to contract award.

PREVIOUS COUNCIL COMMITTEE ACTION:

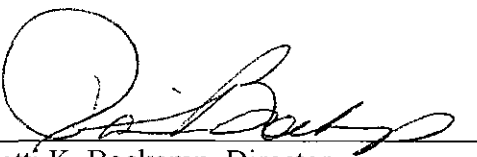
The Committee on Natural Resources and Culture on January 28, 2009, consent motion by Councilmember Emerald, second by Councilmember DeMaio. Vote to approve 4-0.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was presented to the Peninsula Community Planning Group on October 16, 2008 and presented to the Friends of Famosa Slough on November 19, 2008. In addition, residents and businesses will be notified at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again, ten (10) days before construction begins by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROTECTED IMPACTS (if applicable):

Residents in this area will encounter minor inconvenience during construction. After completion, residents will experience improved reliability of the sewer & water system.



mb
Patti K. Boekamp, Director
Engineering & Capital Projects Department



David Jarrell
Deputy Chief of Public Works

000417

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900572
 ORIGINATING DEPT. NO.: 773

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$2,528,035.57 Fund: 41506

Purpose: Authorizing the transfer of funds from CIP 440010, Annual Allocation - Sewer Main Replacements to CIP 462060, Annual Allocation - Accelerated Projects.

Date: February 6, 2009

By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41506	773	960	4278	440010				\$2,528,035.57
TOTAL AMOUNT										\$2,528,035.57

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: February 6, 2009

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

NOTICE OF DETERMINATION

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TO: ☒ Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: **50202** State Clearinghouse Number: **N/A**

Project Title: **FAMOSA ACCELERATED**

Project Location: The proposed project alignments are located within the public right-of-way of West Point Loma Boulevard, Famosa Boulevard, Rialto Street, Temecula Street, Alley between Mentone Street and Montalvo Street, Mentone Street, Montalvo Street, Valeta Street, Camalos Street, and Clovis Street within the Peninsula Community Plan area, IN THE CITY AND COUNTY OF SAN DIEGO.

Project Description: CITY COUNCIL APPROVAL to allow for the replacement of 6,275 linear feet of sewer pipeline, the construction of 2,426 linear feet of new sewer pipeline, the abandonment of 2,100 linear feet of sewer pipeline, the construction of 604 linear feet of new water pipeline and the replacement of 10,605 linear feet of water pipeline.

Project Applicant: CITY OF SAN DIEGO, ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT – WATER & SEWER DESIGN DIVISION, 600 B STREET, MS 908A, SAN DIEGO, CA 92101. CONTACT: CHRIS GASCON, 619-533-7418.

This is to advise that the City of San Diego **CITY COUNCIL** on _____ approved the above described project and made the following determinations:

1. The project in its approved form ____ will, ☒ will not, have a significant effect on the environment.
2. ____ An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
☒ A **Mitigated Negative Declaration** was prepared for this project pursuant to the provisions of CEQA.
____ An addendum to **NEGATIVE DECLARATION NO OR MITIGATED NEGATIVE DECLARATION NO OR ENVIRONMENTAL IMPACT REPORT NO.** was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

3. Mitigation measures ☒ were, ____ were not, made a condition of the approval of the project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Entitlements Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

Analyst: Forburger/Herrmann

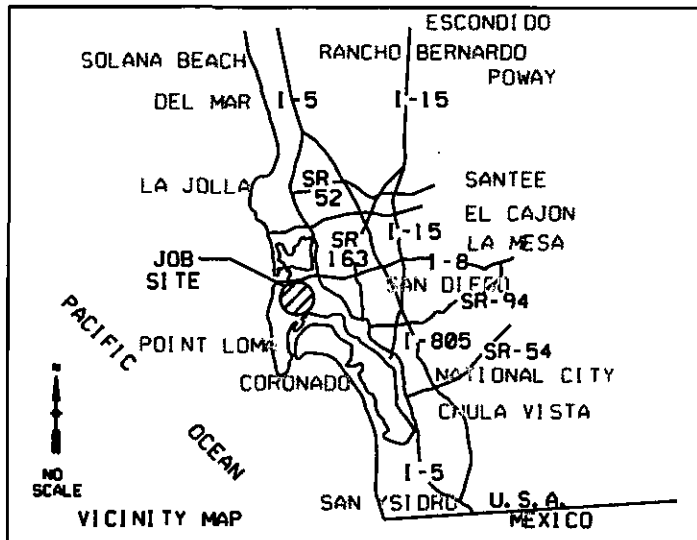
Telephone: (619) 446-5372

Filed by: _____

Signature

Title

Reference: California Public Resources Code, Sections 21108 and 21152.

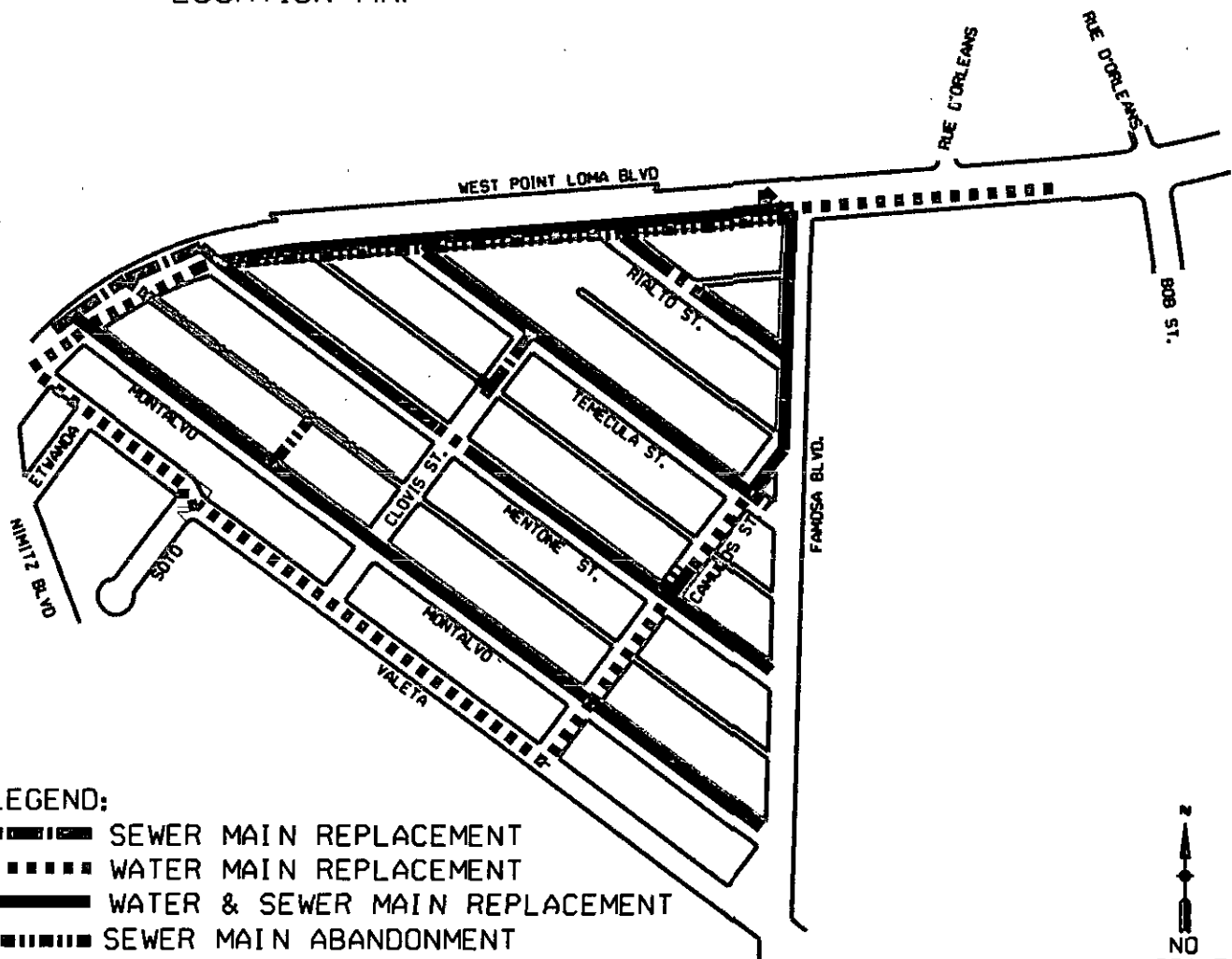


SENIOR ENGINEER
RANIA AMEN
☎ (619) 533-5492
PROJECT MANAGER
CHRIS GASCON
☎ (619) 533-7418

PROJECT ENGINEER
JENNY JARRELL
☎ (619) 533-5224

PUBLIC INFORMATION
OFFICER
☎ (619) 533-4207

SEWER AND WATER MAIN REPLACEMENT FAMOSA ACCELERATED LOCATION MAP



LEGEND:

- SEWER MAIN REPLACEMENT
- WATER MAIN REPLACEMENT
- WATER & SEWER MAIN REPLACEMENT
- SEWER MAIN ABANDONMENT

11/24/08 J2C

000423

PROJECT COST ESTIMATE

PROJECT: Famosa Accelerated Water & Sewer Main ReplacementADVERTISING: X

AWARD: _____

Reallocation: _____

Deappropriation: _____

Council District: K. FaulconerCommunity Area: PeninsulaPREPARED BY: Chris GasconDATE: December 12, 2008Work Order NO.: 179970/188670Sub CIP No.: 46-613.1 / 73-867.4

ACTIVITY:	CIP NO. OR OTHER SOURCE OF FUNDS				% E & Const.	
	46-613.1 FY09	TOTAL	73-867.4 FY09	TOTAL	TOTAL	
A. ENGINEERING						
4114 - In House Eng.	348,000.00	348,000.00	246,596.00	246,596.00	594,596.00	8.70%
4115 - As Needed Consult.	2,330.00	2,330.00		0.00	2,330.00	0.03%
4116 - Const. Eng.	189,650.00	189,650.00	244,315.00	244,315.00	433,965.00	6.35%
		0.00		0.00		
4118 - Outside Eng./Consult.		0.00		0.00	0.00	0.00%
4119 - Enviro. Impact Studies		0.00		0.00	0.00	0.00%
4151 - Professional Services		0.00		0.00	0.00	0.00%
4240 - Reimbursement Agree.		0.00		0.00	0.00	0.00%
TOTAL ENGINEERING	539,980.00	539,980.00	490,911.00	490,911.00	1,030,891.00	15.08%
B. CONSTRUCTION						
4220 - Prime Const. Contract	2,193,337.00	2,193,337.00	2,925,565.00	2,925,565.00	5,118,902.00	74.89%
4221 - Supp. Const.		0.00		0.00	0.00	0.00%
42220 - JOC or GRC		0.00		0.00	0.00	0.00%
4226 - City Forces Work		0.00	453,280.00	453,280.00	453,280.00	6.63%
4150 - Safety		0.00		0.00	0.00	0.00%
4810 - OCIP		0.00		0.00	0.00	0.00%
TOTAL CONSTRUCTION	2,193,337.00	2,193,337.00	3,378,845.00	3,378,845.00	5,572,182.00	81.52%
C. EQUIPMENT & FURNISHINGS						
3298 - Unclass. M&S Purch.		0.00		0.00	0.00	0.00%
3316 - Pipe Fittings		0.00		0.00	0.00	0.00%
4922 - Const. Related		0.00		0.00	0.00	0.00%
TOTAL EQUIP. & FURN.	0.00	0.00	0.00	0.00	0.00	0.00%
D. CONTINGENCIES						
4905 - Contingencies	99,698.00	99,698.00	132,981.00	132,981.00	232,679.00	3.40%
4909 - Pooled Contingencies		0.00		0.00	0.00	0.00%
		0.00		0.00		
E. SUB-TOTAL	2,833,015.00	2,833,015.00	4,002,737.00	4,002,737.00	6,835,752.00	100.00%
F. LAND ACQUISITION						
4638 - Land Acquisition		0.00		0.00	0.00	
TOTAL PROJECT COST	2,833,015.00	2,833,015.00	4,002,737.00	4,002,737.00	6,835,752.00	

Document	Number	Sewer	Water	Total
Pre.Auth.Res.				0.00
Pre.Auth.Res.				0.00
Pre.Auth.Res.				0.00
Pre.Auth.Res.				0.00
P A 700				0.00
Total Presently Authorized		0.00	0.00	0.00

Surplus Authorized: 0.00 0.00 0.00

DEPARTMENT:	773	760
FUND:	41508	41500
CIP/SUB CIP	46-613.1	73-867.4
THIS REQUEST:	2,833,015.00	4,002,737.00

COMMENTS:

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION ADOPTING THE MITIGATION,
MONITORING AND REPORTING PROGRAM
REGARDING FAMOSA ACCELERATED SEWER AND
WATER REPLACEMENT

BE IT RESOLVED, by the Council of the City of San Diego [Council], that the Revised Final Mitigated Negative Declaration, Project No. 50202 (Revised Final MND), dated October 10, 2008 for the Famosa Accelerated Sewer and Water Main Replacement project [the Project] on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.);

BE IT FURTHER RESOLVED, that the Revised Final MND reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Council finds that revisions to the Project now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Project, Revised Final MND No. 50202, a copy of which is on file in the Office of the City Clerk and incorporated herein by this reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program,

or alterations to implement the changes to the Project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLOVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN I. GOLDSMITH, CITY ATTORNEY

By Pedro De Lara, Jr.
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
02/11/2009
Or.Dept:/E&CP
R-2009-862

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION APPROVING THE PLANS AND
SPECIFICATIONS AND EXPENDITURE OF FUNDS
REGARDING FAMOSA ACCELERATED SEWER AND
WATER REPLACEMENT

WHEREAS, the Famosa Accelerated Sewer and Water Main Replacement project [the Project] is part of a program established by the City of San Diego and the California Department of Public Health mandating the replacement of all cast iron water mains currently in service due to the recently reported water main breaks and increased frequency of maintenance to the existing sewer mains; and

WHEREAS, the Project is located within the Peninsula Community Plan Area, and includes the construction and replacement of approximately 7,838 linear feet of existing 12-inch, 10-inch, 8-inch and 6-inch sewer mains, and the replacement of approximately 11,209 linear feet of existing 12-inch, 8-inch, and 6-inch water mains and related work; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego [Council] that the plans and specifications for the construction of the Project as advertised by the Purchasing and Contracting Department, filed in the office of the City Clerk as Document No. _____, are approved.

BE IT FURTHER RESOLVED, that after advertising for bids in accordance with law, the Mayor, or his designee is authorized to execute a construction contract with the lowest responsible and reliable bidder, provided that the City Comptroller first furnishes one or more

certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer an amount not to exceed \$2,528,035.57 from CIP 44-001.0, Annual Allocation – Sewer Main Replacements to Sewer Fund 41506, CIP 46-206-0, Annual Allocation-Accelerated Projects is authorized solely for construction, contingency and Project related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

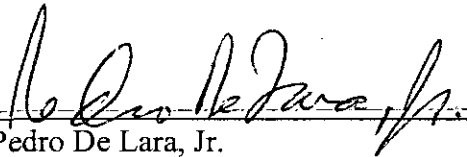
BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$2,833,015 from Sewer Fund 41506, CIP 46-206-0, Annual Allocation – Accelerated Projects is authorized solely for construction, contingency and Project related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$4,002,737 from Water Fund 41500, CIP 73-083-0, Annual Allocation – Water Main Replacement is authorized solely for construction, contingency and Project related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer

BE IT FURTHER RESOLVED, that the use of City Forces in an amount not to exceed \$453,280 from Water Fund 41500, CIP No. 73-083.0 Annual Allocation – Water Main Replacements is authorized solely for the construction of the Project.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, CITY ATTORNEY

By 
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
02/04/2009
02/27/2009 Corr.
Or.Dept:/E&CP
R-2009-832

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor